



Attorney Docket No. 16528X-025010US

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **POLYMORPHISMS IN HUMAN MITOCHONDRIAL DNA** the specification of which is attached hereto or X was filed on May 14, 1997 as Application No. 08/856,376 and was amended on (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <u> </u> No <u> </u>
			Yes <u> </u> No <u> </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/017,203	May 16, 1996
60/024,206	August 20, 1996

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned
		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Vern A. Norviel, Reg. No. 32,483
Nancy DeSantis-Vannice, Reg. No. 37,608
Joe Liebeschuetz, Reg. No. 37,505
William M. Smith, Reg. No. 30,223
Renee A. Fitts, Reg. No. 35,136

Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Joe Liebeschuetz Reg. No.: 37,505 Telephone: 415-326-2400
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Full Name of Inventor 1	Last Name CHEE	First Name Mark	Middle Name or Initial	
Residence & Citizenship	City Palo Alto	State/Foreign Country California	Country of Citizenship Australia	
Post Office Address	Post Office Address 3199 Waverly Street	City Palo Alto	State/Country CA	Zip Code 94306
Full Name of Inventor 2	Last Name BERNO	First Name Anthony	Middle Name or Initial	
Residence & Citizenship	City San Jose	State/Foreign Country California	Country of Citizenship Canada	
Post Office Address	Post Office Address 570 South 12th street	City San Jose	State/Country CA	Zip Code 95112
Full Name of Inventor 3	Last Name YANG	First Name Robert	Middle Name or Initial	
Residence & Citizenship	City San Ramon	State/Foreign Country California	Country of Citizenship United States	
Post Office Address	Post Office Address 317 Winged Terrace	City San Ramon	State/Country CA	Zip Code 94583

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
 Mark Chee	Anthony Berno	Robert Yang
Date <u>9/30/97</u>	Date	Date

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Mark Chee	 Anthony Berno	Robert Yang
Date	Date <u>9/23/97</u>	Date

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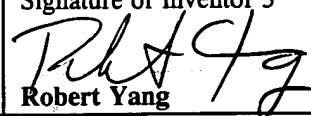
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Mark Chee	Anthony Berno	 Robert Yang
Date	Date	9/27/97

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